

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JEANETTE MATEO

V.

JON M. SULLIVAN

: CIVIL ACTION

:

:

:

:

: NO. 02-CV-4596

DEFENDANT'S PRE-TRIAL MEMORANDUM

PROPOSED STIPULATED/COUNTER FACTS

1. Agreed.
2. Agreed.
3. Disagreed.

COUNTER: It is unclear how many vehicles were in front of the Paul Sosnowsky, Jr. vehicle. Plaintiff vehicle was at least the fourth in line at the intersection stopped at a red light.

4. Disagreed.

COUNTER: The defendant was on the roadway on that date, but did not make an illegal left turn and/or U-turn. Furthermore, the defendant's actions did not cause the plaintiff's vehicle to strike the rear of the Sosnowsky vehicle. To the contrary, the driver of the plaintiff's vehicle failed to observe the motor vehicle laws of the State of New Jersey by following another vehicle more closely than is reasonable and prudent, having due regard to the speed of the preceding vehicle and the traffic upon, and condition of, the highway.

5. Disagreed in part.

COUNTER: It is agreed that Defendant's vehicle was not involved in the accident. It is denied that Gabriel Mateo identified the Defendant and/or supplied information to the Maple Shade police department.

EXHIBITS

- D-1 Plaintiff's Complaint;
- D-2 Defendant's Answer to Plaintiff's Complaint;
- D-3 Plaintiff's Deposition transcript.

Defendant reserves the right use those exhibits identified in plaintiff's pre-trial memorandum.

WITNESSES

- 1. Jon M. Sullivan
6327 Mifflin Avenue
Harrisburg, PA, 17111

Defendant reserves the right to call as a witness any and all persons listed in plaintiff's pre-trial memorandum.

MARGOLIS EDELSTEIN

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